

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Christian Gallagher)	
)	
Plaintiff,)	
)	
v.)	
)	
Debra Gallagher)	Civil Action No: 4:12-CV-40027-FDS
and)	
EMC Corporation)	
)	
Defendants,)	

NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT EMC CORPORATION

Please take notice that the Plaintiff in this action, Christian gallagher, pursuant to the Federal Rules of Civil Procedure Rule 41(a)(1)(A)(i), hereby voluntarily dismisses all claims in this action without prejudice as they relate to the Defendant EMC Corporation.

Federal Rule of Civil Procedure 41(a)(1)(i) provides, in relevant part:

(a) Voluntary Dismissal.

(1) *By the Plaintiff.*

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

EMC Corporation has neither answered Plaintiff's Complaint nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice and without order of the court.

Plaintiff, by his attorney

/s/ Simon Mann
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Date: May 10, 2012

CERTIFICATE OF SERVICE

I, Simon Mann, attorney for the Plaintiff in the above action, certify that on May 10, 2012 that the above document was filed through the ECF system and sent electronically to the registered participants as identified on the Notice Electronic Filing and paper copies sent to those indicated as non-registered participants and by regular mail to attorney for EMC Corporation, Robert O'Brien, at Choate, Hall & Stewart LLP, Two International Place, Boston, MA 02110.

/s/ Simon Mann

Simon Mann